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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Alfred Valtierra, III,
10 Plaintiff,

11 v.

12 Pinto Valley Mining Corporation,
13 Defendant.
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No. CV-25-00184-PHX-JJT

ORDER

15 At issue is Defendant Pinto Valley Mining Corporation's Motion to Dismiss Due to
16 Arbitration Agreement (Doc. 11), in which Defendant asks the Court to dismiss this case
17 because the parties entered into a valid written arbitration agreement that applies to Plaintiff
18 Alfred Valtierra's claims in this matter. In response, Plaintiff agrees that the parties are
19 compelled to arbitrate the present dispute under the arbitration agreement, but Plaintiff asks
20 the Court to stay rather than dismiss this case under the terms of the Federal Arbitration
21 Act (FAA). (Doc. 14.)

22 The FAA, 9 U.S.C. § 3, provides that the Court must stay rather than terminate
23 proceedings pending arbitration upon a party's stay request if the Court determines that the
24 issues involved are subject to arbitration under a written arbitration agreement. *Smith v.*
25 *Spizzirri*, 601 U.S. 472, 478–79 (2024) (reversing *Forrest v. Spizzirri*, 62 F.4th 1201, 1204–
26 05 (9th Cir. 2023)). Here, the parties do not dispute that this matter is subject to arbitration
27 under a written arbitration agreement, and Plaintiff has requested a stay. Accordingly, the
28 Court will stay these proceedings pending the results of the arbitration.

